

ORIGINAL

Caldwell
238
4/20/01

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

SAMSON OMOSEFUNMI,)
PLAINTIFF,)
Vs.) DKT. #: 1:00-CV-02228
YORK COUNTY PRISON, ET., AL.)
DEFENDANTS.)

PLAINTIFF'S OPPOSITION TO DEFENDANTS Per
MOTION TO DISMISS

FILED
HARRISBURG
APR 23 2001
MARY E. D'ANDREA, CLERK
DEPUTY CLERK

COMES NOW plaintiff, Samson Omosefunmi, pro se, hereby opposes defendants' Jyl Hummel; Frank Kluyber, Jr.; Mark Lutz; Everhart; Francisco; and Jane Doe(s) motions to dismiss, pursuant to Fed.R.Civ.P. Rules 12(b)(6). Defendants' motions are without merit and should be denied, where defendants have failed to demonstrate that, taking all of plaintiff's allegations of facts as true, there are no circumstances under which relief may be granted by this Honorable Court. See Roma Construction Co., Inc. v. Arusso, 96 F.3d 566 (1st Cir. 1996).

In support of this opposition, plaintiff will submit a memorandum of law and has timely sought an enlargement of time in which to file said motion and memorandum of law in support of plaintiff's opposition to defendants' motions to dismiss.

Respectfully Submitted,
By The Plaintiff,


4/16/01
Samson Omosefunmi, Pro Se
#026864117
Buffalo Fed. Det. Fac.
4250 Federal Drive
Batavia, NY., 14020

Dated: April 16th, 2001.

Hon. Clerk of Courts
United States District Court
Middle District of Pennsylvania
U.S. COURTHOUSE
228 Walnut Street
P.O. Box 983
Harrisburg, PA., 17108

Samson Omosefunmi
#026864117
4250 Federal Drive
Batavia, NY., 14020
April 16th, 2001.

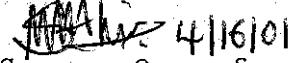
RE: OMOSEFUNMI Vs. YORK COUNTY PRISON, ET., AL.
DKT. #:1:00-CV-02228

Dear Hon. Clerk;

Enclosed for filing, please find the following documents: (1) PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS; (2) PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL; and (3) CERTIFICATE OF SERVICE, in the above-captioned case.

Thank you for your prompt attention to this matter.

Sincerely,


4/16/01
Samson Omosefunmi, Pro Se

cc: Atty. Jacqueline M. Carolan, Esq.
FOX - ROTHSCHILD, O'BRIEN & FRANKEL, LLP.
ATTORNEYS AT LAW
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Philadelphia, PA., 19103-3291

Atty. Donald L. Reihart, Esq.
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